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cancel.

wherein said processing step includes converting at least any of a recording format and a compression format.

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21. (Twice Amended) A computer-readable storage medium storing a program for implementing a method of performing data communication between a first equipment that performs wireless data transmission and reception according to a first protocol and a second equipment that performs data transmission and reception through a bus according to a second protocol, the program comprising:

code for a processing step of performing a format conversion between data according to the first protocol and data according to the second protocol,

wherein the processing step performs the format conversion with generating a command for controlling the first equipment and the second equipment, and

wherein the processing step converts at least any of a recording format and a compression format.

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#### REMARKS

Claims 1-3, 5-8, 10-17, and 19-21 are presented for examination. Claims 4, 9, and 18 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claims 1, 7, 8, 12, 13, 15, and 21, the only claims in independent form, have been amended to incorporate the essential subject matter of one of the canceled Claims 4, 9, and 18. Favorable consideration is requested.

In the Office Action dated February 15, 2001, Claims 1-21 were rejected under 35 U.S.C. § 112, second paragraph. Applicants have carefully reviewed and amended independent Claims 1, 7, 8, 12, 13, 15, and 21, as deemed necessary, with special attention to the points raised in section 1 of the Office Action. In particular, the independent claims have been amended to state that format conversion is performed without generating a command for controlling data transmission equipment. Applicants submit that the pending claims are sufficiently definite, and respectfully request withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

The Office Action rejected Claims 1, 3, 7, 8, 12, 15, 17, and 21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,157,650 (Okuyama et al). Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Okuyama et al. Claims 4, 5, 9, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Okuyama et al. in view of U.S. Patent No. 5,991,842 (Takayama). Claims 2, 10, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Okuyama et al. in view of JP 2000-232548. Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Okuyama et al. in view of JP 2000-232548, and further in view of Takayama. Cancellation of Claims 4, 9, and 18 renders their rejections moot.

As mentioned earlier, the pending independent claims have been amended to incorporate the essential subject matter of one of the canceled Claims 4, 9, and 18, which were rejected over Okuyama et al. in view of Takayama. Applicants submit that Takayama is not prior art to the present application for the following reasons.

The present application was originally filed on August 10, 1999, and was refiled as a Continued Prosecution Application (CPA) on March 20, 2002. Takayama issued as a patent after the original filing date of the present application, but was filed as a U.S. application before the original filing date of the present application. Therefore, Takayama can be categorized as a 35 U.S.C. § 102(e) reference that has been used to reject one or more claims of the present application under 35 U.S.C. § 103(a).

However, according to 35 U.S.C. § 103(c):

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Thus, a reference that qualifies as prior art under 35 U.S.C. § 102(e) may not be used to reject the claims of a patent application for an invention if the invention and the reference were commonly owned at the time of the invention. MPEP § 2146.

Applicants submit that Canon Kabushiki Kaisha, the assignee of the present invention, commonly owned the present invention and Takayama at the time of the invention. Therefore, Takayama may not be used to reject the claims of the present application under 35 U.S.C. § 103(a). Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a) based on Takayama. Moreover, because each of the independent claims of this application has been amended to include subject matter from a claim rejected based on

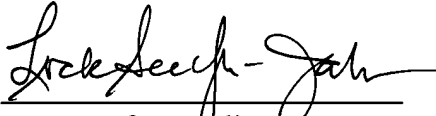
Takayama, and because Takayama may not properly be used to reject the claims of this application, Applicants submit that the independent claims and the claims dependent thereon are allowable.

Finally, Applicants note that JP 2000-232548, which was cited against Claims 2, 10, 11, and 16, was published on August 22, 2000, which is after the original filing date of the present Application. Accordingly, Applicants submit that JP 2000-232548 is not prior art to the claims of this application.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable consideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Twice Amended) A data communication apparatus with a function of performing data communication between a first equipment that performs wireless data transmission and reception according to a first protocol and a second equipment that performs data transmission and reception through a bus according to a second protocol, said apparatus comprising:

a conversion unit adapted to perform a format conversion between data according to the first protocol and data according to the second protocol,

wherein said conversion unit [does not generate] performs the format conversion without generating a command [data, relative to a command included in received data,] for controlling the first equipment and the second equipment, and

wherein said conversion unit converts at least any of a recording format and a compression format.

Claim 4 has been canceled.

7. (Twice Amended) A data communication system comprising:

a first equipment adapted to perform wireless data transmission and reception according to a first protocol;

a second equipment adapted to perform data transmission and reception through a bus according to a second protocol; and

a data communication apparatus adapted to perform data communication between said first equipment and said second equipment, wherein

said data communication apparatus comprises a conversion unit adapted to perform a format conversion between data according to the first protocol and data according to the second protocol, [and]

the conversion unit [does not generate] performs the format conversion without generating a command [data, relative to a command included in received data,] for controlling the first equipment and the second equipment, and

the conversion unit converts at least any of a recording format and a compression format.

8. (Twice Amended) A data communication system comprising:

a first equipment adapted to wirelessly transmit data;

a home station adapted to receive the data wirelessly transmitted from said first equipment; and

a second equipment connected to said home station through a home bus, wherein

said home station performs a format conversion of the data wirelessly transmitted from said first equipment, so as to adapt the received data for the home bus, and then said home station transmits the converted data to said second equipment through the home bus, [and]

said home station [does not generate] performs the format conversion without generating a command [data, relative to a command included in the received data,] for controlling said first equipment and said second equipment, and

each of said first and second equipment performs at least any of an image pickup function, a video recording function, a video reproduction function, and a video display function.

Claim 9 has been canceled.

12. (Twice Amended) A data communication system comprising:

a first equipment adapted to perform wireless data transmission and reception;

a second equipment adapted to perform data transmission and reception through a home bus; and

a home station adapted to perform wireless data transmission and reception with said first equipment and to perform data transmission and reception with said second equipment through the home bus, wherein

said home station performs a format conversion between data wirelessly transmitted and received by said first equipment and data transmitted and received by said second equipment through the home bus, [and]

said home station [does not generate] performs the format conversion without generating a command [data, relative to a command included in received data,] for controlling said first equipment and said second equipment, and

said home station converts at least any of a recording format and a compression format.

13. (Twice Amended) A data communication system comprising:

a wireless telephone equipment;

a home station adapted to perform transmission and reception of wireless data with said wireless telephone equipment; and

a controlled equipment connected to said home station through a home bus and controlled according to equipment control data on the home bus, wherein

said home station performs a format conversion between equipment control data included in the wireless data and the equipment control data on the home bus, and

said home station [does not generate] performs the format conversion without generating a command [data, relative to a command included in received data,] for controlling said wireless telephone equipment and said controlled equipment, and

said home station converts at least any of a recording format and a compression format.

15. (Twice Amended) A data communication method for performing data communication between a first equipment that performs wireless data transmission and reception according to a first protocol and a second equipment that performs data transmission and reception through a bus according to a second protocol, said method comprising:

a processing step of performing a format conversion between data according to the first protocol and data according to the second protocol,

wherein said processing step [does not generate] performs the format conversion without generating a command [data, relative to a command included in received data,] for controlling the first equipment and the second equipment, and



wherein said processing step includes converting at least any of a recording format and a compression format.

Claim 18 has been canceled.

21. (Twice Amended) A computer-readable storage medium storing a program for implementing a method of performing data communication between a first equipment that performs wireless data transmission and reception according to a first protocol and a second equipment that performs data transmission and reception through a bus according to a second protocol, the program comprising:

code for a processing step of performing a format conversion between data according to the first protocol and data according to the second protocol,

wherein the processing step [does not generate] performs the format conversion with generating a command [data, relative to a command included in received data,] for controlling the first equipment and the second equipment, and

wherein the processing step converts at least any of a recording format and a compression format.